

HOUSE JOURNAL

SEVENTY-EIGHTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

EIGHTEENTH DAY — MONDAY, FEBRUARY 17, 2003

The house met at 2 p.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 23).

Present — Mr. Speaker; Allen; Alonzo; Bailey; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Burnam; Callegari; Campbell; Canales; Capelo; Casteel; Castro; Chavez; Chisum; Christian; Coleman; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Davis, J.; Davis, Y.; Dawson; Delisi; Denny; Deshotel; Driver; Dukes; Dunnam; Dutton; Edwards; Eiland; Eissler; Elkins; Ellis; Farabee; Farrar; Flores; Flynn; Gallego; Garza; Gattis; Geren; Giddings; Goodman; Goolsby; Griggs; Grusendorf; Guillen; Gutierrez; Haggerty; Hamilton; Hamric; Hardcastle; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hochberg; Hodge; Homer; Hope; Hopson; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Jones, J.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee; Kuempel; Laney; Laubenberg; Lewis; Luna; Mabry; Madden; Marchant; Martinez Fischer; McCall; McClendon; McReynolds; Menendez; Mercer; Merritt; Miller; Moreno, J.; Moreno, P.; Morrison; Mowery; Naishtat; Nixon; Noriega; Oliveira; Olivo; Paxton; Peña; Phillips; Pickett; Pitts; Puente; Quintanilla; Rangel; Raymond; Reyna; Riddle; Ritter; Rodriguez; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solis; Solomons; Stick; Swinford; Talton; Taylor; Telford; Thompson; Truitt; Turner; Uresti; Van Arsdale; Villarreal; West; Wilson; Wise; Wohlgemuth; Wolens; Wong; Woolley; Zedler.

The invocation was offered by Tim Harper, minister of students, Emmanuel Baptist Church, Terrell.

CAPITOL PHYSICIAN

The speaker recognized Representative Mabry who presented Dr. Troy Fiesinger of Waco as the "Doctor for the Day."

The house welcomed Dr. Fiesinger and thanked him for his participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

HR 244 - ADOPTED (by Craddick)

Representative Swinford moved to suspend all necessary rules to take up and consider at this time **HR 244**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 244, Congratulating State Representative George E. "Buddy" West on his receipt of the inaugural George E. "Buddy" West Leadership Award from The Presidential Museum and Leadership Library in Odessa.

HR 244 was read and was adopted without objection.

On motion of Representative Menendez, the names of all the members of the house were added to **HR 244** as signers thereof.

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

HR 226 - ADOPTED (by Harper-Brown)

Representative Harper-Brown moved to suspend all necessary rules to take up and consider at this time **HR 226**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 226, Recognizing Bethany Harper for participating in the Honorary Page Program.

HR 226 was read and was adopted without objection.

HR 225 - ADOPTED (by Casteel)

Representative Casteel moved to suspend all necessary rules to take up and consider at this time **HR 225**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 225, Congratulating the Bandera High School football team on winning the 2002 UIL Class 3A, Division II, state championship.

HR 225 was read and was adopted without objection.

INTRODUCTION OF GUESTS

The speaker recognized Representative Casteel who introduced members and coaches of the Bandera High School football team.

SCR 15 - ADOPTED (Dutton - House Sponsor)

Representative Dutton moved to suspend all necessary rules to take up and consider at this time **SCR 15**.

The motion prevailed without objection.

The following resolution was laid before the house:

SCR 15, Commending the outstanding professionals of our juvenile justice system for their vital contributions to citizens of this state.

(Edwards in the chair)

SCR 15 was adopted without objection.

(Speaker in the chair)

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 8).

HR 248 - ADOPTED

(by Wilson)

Representative Wilson moved to suspend all necessary rules to take up and consider at this time **HR 248**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 248, Honoring State Representative Harold V. Dutton, Jr., on his birthday.

HR 248 was read and was adopted without objection.

On motion of Representative Thompson, the names of all the members of the house were added to **HR 248** as signers thereof.

HR 247 - ADOPTED

(by Wilson)

Representative Wilson moved to suspend all necessary rules to take up and consider at this time **HR 247**.

The motion prevailed without objection.

The following resolution was laid before the house:

HR 247, In memory of Estell D. Hobbs, Sr., of Houston.

HR 247 was unanimously adopted by a rising vote.

REGULAR ORDER OF BUSINESS SUSPENDED

On motion of Representative Edwards and by unanimous consent, the reading and referral of bills was postponed until just prior to adjournment.

MAJOR STATE CALENDAR

SENATE BILLS

SECOND READING

The following bills were laid before the house and read second time:

SB 310 ON SECOND READING

(Smithee, Seaman, Gallego, Edwards, and Thompson - House Sponsors)

SB 310, A bill to be entitled An Act relating to rate information to be filed by certain insurers of residential property; providing an administrative penalty.

Amendment No. 1

Representative Coleman offered the following amendment to **SB 310**:

Amend **SB 310** (house committee printing) as follows:

(1) In SECTION 1 of the bill, in the subchapter heading of added Subchapter P, Chapter 5, Insurance Code (page 1, line 7), strike "RESIDENTIAL PROPERTY" and substitute "CERTAIN".

(2) In SECTION 1 of the bill, in added Section 1, Article 5.141, Insurance Code (page 1, lines 11 and 24), after "residential property" each place the phrase appears, insert "and private passenger automobile".

(3) In SECTION 1 of the bill, in added Section 2(1), Article 5.141, Insurance Code (page 2, lines 6 and 8), after "residential property" each place the phrase appears, insert "and private passenger automobile".

(4) In SECTION 1 of the bill, in added Section 3(a), Article 5.141, Insurance Code (page 2, line 25), between "residential property" and "insurance", insert "and private passenger automobile".

(5) In SECTION 1 of the bill, in added Section 3(c), Article 5.141, Insurance Code (page 3, lines 9, 19, and 22), between "residential property" and "insurance" each place the phrase appears, insert "and private passenger automobile".

(6) In SECTION 1 of the bill, in added Section 3(c)(3), Article 5.141, Insurance Code (page 3, line 16), between "of this code" and the semicolon, insert "or another provision of this code".

(7) In SECTION 1 of the bill, in added Section 6(b)(2), Article 5.141, Insurance Code (page 6, line 2), between "property" and "insurance", insert "and private passenger automobile".

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Wolens offered the following amendment to **SB 310**:

Amend **SB 310** as follows:

(1) On page 3, strike lines 7-8 and substitute "(c) The insurer shall file, in a format specified by the commissioner, including an electronic format:".

(2) On page 3, lines 23-24, strike Sec. 3(d) in its entirety and renumber the subsequent sections appropriately.

(3) On page 3, lines 25-27, strike Sec. 3(e) in its entirety and renumber the subsequent sections appropriately.

(4) On page 5, line 18, after the period add "The report may be created based on a sample of the information provided under Sec. 3 of this article."

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative Wolens offered the following amendment to **SB 310**:

Amend **SB 310** as follows:

(1) On page 3, line 10, insert the following after the comma and before "reasonable": "underwriting guidelines."

(2) On page 3, strike lines 13-14 and substitute the following: "(2) actuarial support, including all statistics, data, or other information to support the rates, supplementary rating information, use of credit scoring, and underwriting guidelines used by the insurer;"

(3) On page 3, line 23, insert a new Sec. 3(c)(5) and (c)(6) to read as follows: "(5) a complete explanation, and an electronic copy, of all computer models used by the insurer, including credit scoring and catastrophe models, not protected by a contract with a third party; and

(6) a complete explanation of all changes to underwriting guidelines, rates, and supplementary rating information since January 1, 2000."

Amendment No. 3 was adopted without objection.

Amendment No. 4

Representative Wolens offered the following amendment to **SB 310**:

Amend **SB 310** as follows:

(1) On page 5, line 1, insert the following after the period and before "The": "Information disclosed pursuant to Section 552.008, Government Code, shall be provided in a commonly used electronic format, including in spreadsheet or comma-delimited format, if so requested."

Amendment No. 4 was adopted without objection.

Amendment No. 5

Representative Thompson offered the following amendment to **SB 310**:

Amend **SB 310** (House Committee Printing) as follows:

(1) On page 2, line 14, insert a new Subsection (3) to read as follows and renumber subsequent Subsections accordingly:

"(3) "Security" or "securities" has the meaning assigned by Section 4, The Securities Act (Article 581-4, Vernon's Texas Civil Statutes)."

(2) On page 3, line 16, strike "and".

(3) On page 3, line 22, insert the following after "insurance" and before the period:

".

(5) information on the insurer's losses from investments in securities, whether publicly or privately traded, including investments in the securities of companies required by any oversight agency to restate earnings within the 24 months preceding the effective date of this article, possessed and used by the insurer to determine premiums or underwriting for residential property insurance;

(6) information on the insurer's costs of reinsurance, including costs incurred subsequent to September 11, 2001, possessed and used by the insurer to determine premiums or underwriting for residential property insurance; and

(7) information on the effect of the hard and soft market cycles of the residential property insurance market possessed and used by the insurer to determine premiums or underwriting for residential property insurance"

(4) On page 6, line 2, insert Subsection (c) after the period to read as follows:

"(c) The report required under this section shall specifically address:

(1) insurers' securities investment performance, the effect of insurer investment losses in securities on insurers' profitability, and any impact of securities investment losses on residential property insurance premiums and underwriting standards, including an evaluation of the impacts on residential property insurance premiums and underwriting standards from insurer investments in the securities of companies required by any oversight agency to restate earnings within the 24 months preceding the effective date of this article;

(2) insurers' costs for reinsurance after September 11, 2001, and any impact of reinsurance costs on residential property insurance premiums and underwriting standards; and

(3) hard and soft market cycles in the residential property insurance market and any impact of those cycles on residential property insurance premiums and underwriting standards."

Amendment No. 6

Representative Wise offered the following amendment to Amendment No. 5:

Amend Amendment No. 5 to **SB 310** by Thompson on page 2 of the amendment by inserting item (4) to read as follows:

(4) In added Section 6, Article 5.141, Insurance Code (page 6, house committee printing, between lines 2 and 3) insert new Subsection (d) to read as follows:

(d) Notwithstanding Subsection (a) of this section, the commissioner shall report on the information required in accordance Sections 3(c)(5), (6), and (7) of this article and Subsection (c) of this section not later than the 60th day after the effective date of this article.

Amendment No. 6 was adopted without objection.

Representative Smithee moved to table Amendment No. 5.

A record vote was requested.

The motion to table prevailed by (Record 24): 93 Yeas, 53 Nays, 1 Present, not voting.

Yeas — Allen; Baxter; Berman; Bohac; Bonnen; Branch; Brown, B.; Brown, F.; Callegari; Campbell; Capelo; Casteel; Chisum; Christian; Cook, B.; Cook, R.; Corte; Crabb; Crownover; Dawson; Delisi; Denny; Driver; Eiland; Eissler; Elkins; Ellis; Farabee; Flores; Flynn; Gattis; Geren; Goodman; Goolsby; Griggs; Grusendorf; Gutierrez; Hamilton; Hamric; Harper-Brown; Hartnett; Heflin; Hegar; Hilderbran; Hill; Hope; Howard; Hughes; Hunter; Hupp; Isett; Jones, D.; Jones, E.; Keel; Keffer, B.; Keffer, J.; King; Kolkhorst; Krusee;

Kuempel; Laubenberg; Lewis; Madden; Marchant; McCall; Mercer; Miller; Morrison; Mowery; Nixon; Paxton; Phillips; Pitts; Reyna; Riddle; Ritter; Rose; Seaman; Smith, T.; Smith, W.; Smithee; Solomons; Stick; Swinford; Talton; Taylor; Truitt; Van Arsdale; West; Wohlgemuth; Wong; Woolley; Zedler.

Nays — Alonzo; Bailey; Burnam; Canales; Castro; Chavez; Coleman; Davis, J.; Davis, Y.; Deshotel; Dukes; Dunnam; Dutton; Edwards; Farrar; Gallego; Garza; Giddings; Guillen; Haggerty; Hochberg; Hodge; Homer; Hopson; Jones, J.; Laney; Luna; Mabry; Martinez Fischer; McClendon; McReynolds; Menendez; Merritt; Moreno, J.; Moreno, P.; Naishtat; Noriega; Olivo; Peña; Pickett; Puente; Quintanilla; Rangel; Raymond; Rodriguez; Solis; Telford; Thompson; Turner; Uresti; Wilson; Wise; Wolens.

Present, not voting — Mr. Speaker(C).

Absent — Hardcastle; Oliveira; Villarreal.

STATEMENTS OF VOTE

When Record No. 24 was taken, my vote failed to register. I would have voted yes.

Hardcastle

When Record No. 24 was taken, I was temporarily out of the house chamber. I would have voted no.

Oliveira

When Record No. 24 was taken, I was in the house but away from my desk. I would have voted no.

Villarreal

REASON FOR VOTE

I believe that we need the information proposed by Representative Thompson. However, I believe that the assimilation of this data would slow down the rest of the information and prevent us from using it in a timely manner to try to bring the companies under regulation.

Eiland

Amendment No. 7

Representative Wolens offered the following amendment to **SB 310**:

Amend **SB 310** as follows:

(1) On page 3, strike lines 7-8 and substitute "(c) The insurer shall file, in a format specified by the commissioner, including an electronic format."

(3) On page 3, lines 25-27, strike "the type of information to be included in the filing and"

(4) On page 5, line 18, after the period add "The report may be created based on a sample of the information provided under Sec. 3 of this article."

Amendment No. 7 was adopted without objection.

Amendment No. 8

Representative Wolens offered the following amendment to **SB 310**:

Amend **SB 310** (house committee printing) as follows:

(1) In SECTION 1 of the bill, in Section 3(d) of added Article 5.141, Insurance Code (page 3, line 23), between "(d)" and "The", insert "Each insurer that has a share of the residential property insurance market in this state of 5 percent or more shall file the rating information required under this section."

(2) In SECTION 1 of the bill, in Section 3(d) of added Article 5.141, Insurance Code (page 3, line 23), between "insurers" and "are", insert "that have a share of the residential property insurance market in this state of less than 5 percent".

Amendment No. 8 was adopted without objection.

Amendment No. 9

Representative Gallego offered the following amendment to **SB 310**:

Amend **SB 310** after Section 9, Article 5.141, Insurance Code, as added by the bill (page 6, between lines 18 and 19, house committee printing), by inserting the following:

Sec. 10. EXPIRATION. This article expires December 31, 2003.

Amendment No. 9 was adopted without objection.

SB 310 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE THOMPSON: Mr. Speaker, would Representative Smithee yield?

REPRESENTATIVE SMITHEE: Yes, Ms. Thompson.

MR. SPEAKER: He'll yield.

THOMPSON: Mr. Smithee, I want to ask you something for legislative intent.

SMITHEE: Okay.

THOMPSON: If I recall, when you were looking at the amendment that I was offering, you told me that in the bill you believe that it covered information on the insurers' loss from investments and securities, whether they were privately or publicly traded, is that correct?

SMITHEE: I think under the terms of the bill you've stated it pretty accurately. I think if they're claiming that investment loss was any factor in their rate-making process, or their rate setting, then I think that has to be disclosed under the terms of **SB 310**, and that includes Enron or anybody else that they lost money in.

THOMPSON: Also for legislative intent, I think you also said the information on the insurers' cost of reinsurance, including the cost incurred subsequent to September 11, 2001, you believe also was covered by this bill?

SMITHEE: I think that's a factor in rate setting because if these carriers are buying reinsurance, then that's going to be a factor, should be a factor, in what you're ultimately charged for your homeowner's policy.

THOMPSON: And further for legislative intent, you said you believe that this amendment that I offered was already included in the bill—the information on the effect of the hard and soft market cycle of the residential property insurance market possesses—and used by the insurers to determine their premiums because you said that you believe they were going to use every loss that they possibly could to be able to bring forward to be able to justify their premiums.

SMITHEE: I'm not sure I can answer that affirmatively, Senfronia, because I'm not sure what hard and soft insurance cycle means in that context. If it means what I assume it means, I would say that that would likely be, if the company used those cyclical factors as an underwriting basis for setting its rates, then they would turn that over to the department and disclose that.

THOMPSON: And finally for legislative intent, you say that you believe that the insurers' cost for reinsurance after September 11, 2001, any impact of the reinsurance cost on residential property insurance, premiums, and underwriting standards were also included in your bill. You believe that we can get that information also?

SMITHEE: If the company bought, if the insurer bought reinsurance rate, now see the bill just requires current rates right now. It doesn't go back six months or a year. And so I don't know how much September 11th is still a factor in the reinsurance market. I know it jumped up right after September 11th, and I know that it stayed higher since then, but if to the extent that September 11th and any of the problems that occurred in the European market and the domestic reinsurance market are factors then that influenced the rates that are presently out there or will be charged in the next six months, then that would be disclosed.

REMARKS ORDERED PRINTED

Representative Thompson moved to print remarks by Representative Thompson and Representative Smithee.

The motion prevailed without objection.

SB 310, as amended, was passed to third reading.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Morrison requested permission for all committees to meet while the house is in session.

Permission to meet was granted without objection.

COMMITTEE MEETING ANNOUNCEMENTS

The following committee meetings were announced:

State Affairs, shortly after adjournment today, E2.010.

Human Services, upon adjournment today, E2.014.

Government Reform, will reconvene upon adjournment today, E1.026.

Higher Education, at this time today, E2.036.

PROVIDING FOR ADJOURNMENT

Representative Chisum moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees, the house adjourn until 10 a.m. tomorrow.

The motion prevailed without objection.

**BILLS AND JOINT RESOLUTIONS ON FIRST READING
AND REFERRAL TO COMMITTEES
RESOLUTIONS REFERRED TO COMMITTEES**

Bills and joint resolutions were at this time laid before the house, read first time, and referred to committees. Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

ADJOURNMENT

In accordance with a previous motion, the house, at 4:51 p.m., adjourned until 10 a.m. tomorrow.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HB 4 (By Nixon), Relating to reform of certain procedures and remedies in civil actions.

To Civil Practices.

HB 599 (By Chisum), Relating to the continuation and functions of the State Bar of Texas.

To Government Reform.

HB 701 (By Gutierrez), Relating to a prohibition on increasing the total amount of ad valorem taxes imposed by a taxing unit other than a hospital district on the residence homestead of a disabled person, an elderly person, or an elderly person's surviving spouse.

To Local Government Ways and Means.

HB 702 (By Solomons), Relating to the application of the sunset review process to state taxes.

To Ways and Means.

HB 703 (By Solomons), Relating to the property tax appraisal of property located in more than one appraisal district.

To Local Government Ways and Means.

HB 704 (By Solomons), Relating to attorney's fees in the subrogation of a state employee's workers' compensation claim.

To Business and Industry.

HB 705 (By Solomons), Relating to liability of in-home service companies and residential delivery companies for negligent hiring.

To Civil Practices.

HB 706 (By Solomons), Relating to continuation and functions of the Texas Board of Professional Land Surveying.

To Licensing and Administrative Procedures.

HB 707 (By Rangel), Relating to a uniform strategy to ensure that public institutions of higher education employ faculty and staff who reflect the population of Texas.

To Higher Education.

HB 708 (By Geren and Harper-Brown), Relating to a wireless priority service program for mobile telecommunication services.

To Defense Affairs and State-Federal Relations.

HB 709 (By Nixon), Relating to health care liability claims.

To Civil Practices.

HB 710 (By Thompson), Relating to durable powers of attorney and statutory durable powers of attorney.

To Judicial Affairs.

HB 711 (By Rodriguez), Relating to certain persons appointed as officers or employees of the Texas Commission on Environmental Quality; imposing a criminal penalty.

To Environmental Regulation.

HB 712 (By Rodriguez), Relating to abolishing the electronic imaging program of the Texas Department of Human Services.

To Human Services.

HB 713 (By J. Keffer), Relating to the powers of the executive director of the Office of Rural Community Affairs.

To Land and Resource Management.

HB 714 (By Hilderbran), Relating to the use of uniform election dates.

To Elections.

HB 715 (By Dutton), Relating to the penalty for possession of one ounce or less of marihuana.

To Criminal Jurisprudence.

HB 716 (By Delisi), Relating to the punishment for assaults committed against certain sports officials.

To Criminal Jurisprudence.

HB 717 (By Truitt), Relating to the cost of education adjustment.
To Public Education.

HB 718 (By F. Brown), Relating to vehicles passing certain stationary emergency vehicles on a highway; providing a penalty.
To Law Enforcement.

HB 719 (By Naishtat), Relating to a voting student member on the board of regents of The University of Texas System.
To Higher Education.

HB 720 (By Eiland), Relating to the regulation and prompt payment of health care providers under certain health benefit plans; providing penalties.
To Insurance.

HB 721 (By Hilderbran), Relating to the application of the professional prosecutors law to the district attorney for the 42nd Judicial District.
To Judicial Affairs.

HB 722 (By Guillen, et al.), Relating to the powers of the commissioners court in a county that has no incorporated municipality.
To County Affairs.

HB 723 (By E. Jones), Relating to marketing an annual print by the state artist for two-dimensional media.
To State Cultural and Recreational Resources.

HB 724 (By Hochberg), Relating to civil liability of alcoholic beverage providers for providing alcoholic beverages to certain individuals.
To Licensing and Administrative Procedures.

HB 725 (By Haggerty), Relating to the participation of community supervision and corrections department employees, retired employees, and dependents of employees and retired employees in the group benefits program for state employees.
To State Health Care Expenditures, Select.

HB 726 (By Corte), Relating to the powers and duties of peace officers commissioned by certain hospital districts.
To Law Enforcement.

HB 727 (By Delisi), Relating to disease management programs for certain Medicaid recipients.
To State Health Care Expenditures, Select.

HB 728 (By Delisi), Relating to the continuous eligibility of certain children for medical assistance benefits.
To State Health Care Expenditures, Select.

HB 729 (By Goodman and Dutton), Relating to the adoption of the Uniform Parentage Act regarding gestational agreements; providing penalties.
To Juvenile Justice and Family Issues.

HB 730 (By Ritter, Edwards, King), Relating to residential construction, including certain warranties, building standards, and dispute resolution.
To Regulated Industries.

HB 731 (By Martinez Fischer), Relating to the punishment for the offense of reckless driving.
To Transportation.

HB 732 (By Martinez Fischer), Relating to the payment of costs incurred in executing arrest warrants for violations of the conditions of community supervision.
To Law Enforcement.

HB 733 (By Martinez Fischer), Relating to certain traffic offenses committed in a construction or maintenance work zone.
To Transportation.

HB 734 (By Mercer), Relating to the registration period for motor vehicles.
To Transportation.

HB 735 (By Mercer), Relating to equipment for certain mobility devices.
To Transportation.

HB 736 (By Denny and Grusendorf), Relating to use of the internal mail system of a governmental agency to deliver political advertising; providing a criminal penalty.
To Elections.

HB 737 (By Hopson), Relating to the issuance of Native Texan license plates to benefit the Texas Department of Public Safety.
To Transportation.

HB 738 (By Laubenberg), Relating to the creation of a county court at law in Rockwall County.
To Judicial Affairs.

HB 739 (By Pitts), Relating to the protection and use of intellectual property by the Department of Information Resources.
To Economic Development.

HB 740 (By J. Davis and Coleman), Relating to the Texas Department of Economic Development's duty to promote tourism.
To Economic Development.

HB 741 (By Branch), Relating to the powers of certain nonprofit corporations to finance facilities for an institution of higher education under the Higher Education Authority Act.
To Higher Education.

HB 742 (By Branch), Relating to access by certain hospitals and hospital districts to criminal history record information.
To Public Health.

HB 743 (By Hochberg), Relating to paramilitary training organizations; providing criminal penalties.

To Defense Affairs and State-Federal Relations.

HB 744 (By T. Smith), Relating to the punishment prescribed for certain repeat intoxication offenders.

To Criminal Jurisprudence.

HB 745 (By T. Smith), Relating to the punishment prescribed for and conditions of community supervision imposed on certain persons who commit intoxication offenses.

To Criminal Jurisprudence.

HB 746 (By Smithee), Relating to policy forms and endorsements for personal automobile and residential property insurance.

To Insurance.

HB 747 (By Smithee), Relating to procedures by insurers for handling water damage claims.

To Insurance.

HB 748 (By Smithee), Relating to automobile and residential property insurance rate regulation.

To Insurance.

HB 749 (By Smithee), Relating to the issuance of Air Force Association license plates.

To Transportation.

HB 750 (By Smithee), Relating to the definition of unfair methods of competition and unfair and deceptive acts or practices in the business of insurance.

To Insurance.

HB 751 (By Woolley), Relating to the operation of authorized emergency vehicles.

To Law Enforcement.

HB 752 (By Woolley), Relating to the administration of public retirement systems for police officers in certain municipalities.

To Pensions and Investments.

HB 753 (By D. Jones), Relating to providing money to pay for the remediation, cleanup, and closure of unpermitted solid waste facilities.

To Environmental Regulation.

HB 754 (By Luna), Relating to the satisfaction by certain defendants of a condition of community supervision requiring the defendant to perform community service.

To Criminal Jurisprudence.

HB 755 (By Chisum), Relating to the offense of failing to certify compliance of an underground storage tank before accepting delivery of the regulated substance to be stored in the tank.

To Natural Resources.

HB 756 (By Menendez), Relating to requiring support of certain children over 18 years of age.

To Juvenile Justice and Family Issues.

HB 757 (By Giddings), Relating to the continuation of the higher education assistance pilot program.

To Higher Education.

HB 758 (By Giddings), Relating to contracts between a school district and a business entity in which a district trustee has a substantial interest; providing a criminal penalty.

To Public Education.

HB 759 (By Wilson), Relating to a transportation service to facilitate the purchase of medications near the state border with the United Mexican States.

To Border and International Affairs.

HB 760 (By Wilson), Relating to requiring uniform admissions standards for undergraduate student admissions to an institution of higher education.

To Higher Education.

HB 761 (By Coleman), Relating to certain offenses in connection with privileged parking.

To Transportation.

HB 762 (By Grusendorf), Relating to the applicability to certain school districts of the minimum salary schedule for classroom teachers.

To Public Education.

HB 763 (By Rodriguez), Relating to the comptroller's reports on the effect of certain tax provisions and on tax incidence.

To Ways and Means.

HB 764 (By Wohlgemuth and Wise), Relating to the health of school-age children.

To Public Health.

HB 765 (By Rodriguez), Relating to the terms and conditions of an ad valorem tax abatement agreement and the consequences of noncompliance by a property owner with a tax abatement agreement.

To Local Government Ways and Means.

HB 766 (By J. Davis), Relating to permitting a community association to increase regular assessments on a majority vote of property owners.

To Business and Industry.

HB 767 (By J. Davis), Relating to the renewal of a cosmetology license.

To Public Health.

HB 768 (By Mowery and Hamric), Relating to importation of wine into the state by direct shipment.

To Licensing and Administrative Procedures.

HB 769 (By Solis), Relating to compensatory time off for certain communications service employees of the Department of Public Safety.

To Law Enforcement.

HB 770 (By Solis), Relating to a community health center revolving loan program.

To Public Health.

HB 771 (By Giddings), Relating to the creation of an offense of using a telephone while operating a school bus.

To State Affairs.

HB 772 (By Dukes), Relating to the eligibility of certain victims of family violence for unemployment compensation.

To Economic Development.

HB 773 (By Dukes), Relating to notifying a parent of a student's class schedule in public school.

To Public Education.

HB 774 (By Dutton), Relating to courses offered to public school students placed in alternative education programs.

To Public Education.

HB 775 (By Coleman), Relating to the authority of certain municipalities to impose term limits on the members of their governing bodies.

To Urban Affairs.

HB 776 (By Naishtat), Relating to requiring that certain individuals who provide nursing services in a nursing institution receive annual training in caring for people with dementia.

To Public Health.

HB 777 (By Swinford), Relating to value-added processing of agricultural goods into fuel ethanol and biodiesel and the fuel ethanol and biodiesel incentive program.

To Agriculture and Livestock.

HB 778 (By Naishtat), Relating to the offense of interference with an emergency telephone call.

To Criminal Jurisprudence.

HB 779 (By Naishtat), Relating to the issuance and enforcement of protective orders to protect victims of sexual assault; providing criminal penalties.

To Criminal Jurisprudence.

HB 780 (By Naishtat), Relating to the prosecution of the offense of violation of a protective order or magistrate's order.

To Criminal Jurisprudence.

HB 781 (By McCall), Relating to a local option election for the sale of beer and wine in certain cities or towns located in more than one county.

To Licensing and Administrative Procedures.

HB 782 (By Grusendorf), Relating to the comptroller entering into an agreement with a credit or debit card issuer for the benefit of public schools.

To Ways and Means.

HB 783 (By Coleman), Relating to public participation in certain condemnation proceedings.

To Land and Resource Management.

HB 784 (By J. Davis), Relating to coverage of assisted living facilities under professional liability insurance and the Texas Medical Liability Insurance Underwriting Association.

To Insurance.

HB 785 (By Haggerty), Relating to administration of the criminal history record system.

To Law Enforcement.

HB 786 (By Dunnam), Relating to the contents and appeal of certain orders in a suit affecting the parent-child relationship.

To Juvenile Justice and Family Issues.

HB 787 (By Dunnam), Relating to the punishment for the offense of passing a school bus.

To Law Enforcement.

HB 788 (By Dunnam), Relating to the penalty for operation of a motor vehicle by a person who does not hold a driver's license.

To Transportation.

HB 789 (By Grusendorf), Relating to the exemption of tax-exempt property of religious organizations from municipal platting requirements.

To Land and Resource Management.

HB 790 (By Nixon), Relating to the purchase of goods and services by county purchasing agents.

To County Affairs.

HB 791 (By Nixon), Relating to an order by a court that a judgment debtor turn over certain property for the satisfaction of the judgment.

To Civil Practices.

HB 792 (By Eissler), Relating to special license plates for passenger cars and light trucks owned by or used for the transportation of veterans with disabilities.

To Defense Affairs and State-Federal Relations.

HB 793 (By Branch), Relating to observance of one minute of silence during the school day and to pledges of allegiance to the United States and Texas flags in public schools.

To State Affairs.

HB 794 (By Solomons), Relating to the continuation and functions of the Texas Lottery Commission.

To Ways and Means.

HB 795 (By Solomons), Relating to the functions of the Texas Ethics Commission.

To Ethics, Select.

HB 796 (By Delisi), Relating to abolishing the Texas Academic Skills Program.

To Higher Education.

HB 797 (By Farabee), Relating to the penalties for certain offenses under the Texas Controlled Substances Act committed within 1,000 feet of a youth center.

To Criminal Jurisprudence.

HB 798 (By Farabee), Relating to the issuance of disabled veteran license plates.

To Defense Affairs and State-Federal Relations.

HB 799 (By Farabee), Relating to providing temporary community-based therapeutic foster care for certain children.

To Public Health.

HB 800 (By Noriega), Relating to the qualifications for appointment as adjutant general.

To Defense Affairs and State-Federal Relations.

HCR 12 (By Chisum), In memory of Robert O. "Bob" Schnell of Borger.

To Rules and Resolutions.

HCR 18 (By Ellis), Recognizing February 24, 2003, as Liberty County Day 2003 at the State Capitol.

To Rules and Resolutions.

HCR 20 (By Chisum), Commemorating the 40th anniversary of the agreement between the State of Texas and the AEC.

To Rules and Resolutions.

HCR 24 (By Talton), In memory of John Ray Harrison, Sr., of Pasadena.

To Rules and Resolutions.

HCR 25 (By Berman), Recognizing February 24-26, 2003, as Tyler Days at the State Capitol.

To Rules and Resolutions.

HCR 29 (By J. Davis), Commending Sr. Mario Zolezzi Garcia for his outstanding achievements as mayor of Matamoros.

To Rules and Resolutions.

HCR 30 (By J. Davis), Commending Sr. Fernando Silva Nieto for his exceptional achievements as governor of San Luis Potosi.

To Rules and Resolutions.

HR 76 (By Farabee), Recognizing Mickey Stoddard for his induction into the Western Swing Society's Hall of Fame.

To Rules and Resolutions.

HR 88 (By Haggerty), Congratulating Michael and Michelle Ingersoll on the birth of their son and recognizing Matthew Ryan Ingersoll as an honorary Texan.

To Rules and Resolutions.

HR 89 (By Madden and Paxton), In memory of William Carey Cox, Sr., of McKinney.

To Rules and Resolutions.

HR 90 (By Madden, Hill, and Goolsby), Honoring Ken Yarbrough on his retirement as Richardson chief of police.

To Rules and Resolutions.

HR 91 (By Wilson and Keel), Extending to Joe M. Allbaugh an invitation to speak to the members of the Texas House of Representatives.

To Rules and Resolutions.

HR 92 (By McClendon), Honoring the West Side Horns of San Antonio.

To Rules and Resolutions.

HR 93 (By McClendon), Honoring Monsignor Lawrence J. Stuebben of San Antonio for receiving the Leadership Award from Catholic Television of San Antonio.

To Rules and Resolutions.

HR 94 (By Truitt), Honoring David E. Visney on his retirement from the Federal Railroad Administration.

To Rules and Resolutions.

HR 96 (By Hopson), In memory of Houston County Sheriff's Deputy Bobby Franks.

To Rules and Resolutions.

HR 103 (By Pitts), In memory of Shirley Anne Smith of Waxahachie.

To Rules and Resolutions.

HR 106 (By Christian), Recognizing February 27, 2003, as Shelby County Day at the State Capitol.

To Rules and Resolutions.

HR 108 (By Bonnen), In memory of Carol Deering of Angleton.

To Rules and Resolutions.

HR 109 (By Pitts), Honoring Donald Patman on his service as president of the Texas Farm Bureau.

To Rules and Resolutions.

HR 113 (By Menendez), Honoring Franca Larsen of San Antonio on her retirement from Camp Oil Company.

To Rules and Resolutions.

HR 114 (By Harper-Brown), Recognizing the dedication and hard work of the Irving Lively Park Senior Activity Center's Advisory Council.

To Rules and Resolutions.

HR 115 (By Geren), Recognizing the senate football team for its poor performance in the 2003 House vs. Senate Football Game.

To Rules and Resolutions.

HR 118 (By Gallego), In memory of Shane Hunter Williams.

To Rules and Resolutions.

HR 119 (By Deshotel and Hamilton), Honoring the Orange County Emergency Service District No. 2 Volunteer Fire Department on the 50th anniversary of its founding.

To Rules and Resolutions.

HR 123 (By Dunnam), Honoring the Calvert High School football team for winning the 2002 six-man state football championship.

To Rules and Resolutions.

HR 124 (By Dunnam), Congratulating the Leon High School Lady Cougars on winning the 2002 Class 2A state volleyball championship.

To Rules and Resolutions.

HR 127 (By Ritter), In memory of Frances K. Monk, mayor of Port Neches.

To Rules and Resolutions.

HR 128 (By Ritter), Honoring the life of John Ellis Gray of Beaumont.

To Rules and Resolutions.

HR 129 (By Wise), Recognizing Martha Saenz for her selection as the City of Weslaco's 2002 Employee of the Year.

To Rules and Resolutions.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 8

HCR 41, HCR 46

MESSAGE FROM THE SENATE

The following message from the senate was today received by the house:

Message No. 1

MESSAGE FROM THE SENATE

SENATE CHAMBER

Austin, Texas

Monday, February 17, 2003

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HCR 42 Craddick SPONSOR: Bivins
Recognizing February 11, 2003, as Midland-Odessa Day at the State Capitol.

SCR 15 Barrientos SPONSOR: Dutton
Commending the outstanding professionals of our juvenile justice system for their vital contributions to the citizens of this state.

Respectfully,
Patsy Spaw
Secretary of the Senate

APPENDIX

ENROLLED

February 13 - HCR 38

February 14 - HCR 46, HCR 41

